



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,096	10/29/2001	Carl E. Whitcomb	WHIT/0002	7255
7590 STREETS & STEELE Suite 355 13831 Northwest Freeway Houston, TX 77040		08/17/2007	EXAMINER NGUYEN, SON T	
			ART UNIT 3643	PAPER NUMBER
			MAIL DATE 08/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## UNITED STATES DEPARTMENT OF COMMERCE

## U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

101075096

EXAMINER
----------

ART UNIT	PAPER
----------	-------

3643

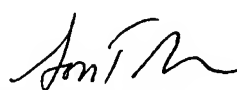
20070726

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

## Commissioner for Patents

The reply brief filed on 7/12/07 has been acknowledged and entered. In response to an argument by Appellant regarding "The Examiner states that "to further prove the Examiner's position regarding the roots, Reiger, as agreed by Appellant, teaches a root-tip-trapping material..." (Answer, page 6, lines 2-4; emphasis" added by Appellant). The Appellant would point out that the Examiner fails to cite where Appellant might have made such an agreement, and Appellant does not believe such an agreement was made", the Examiner would like to point out page 16, 1<sup>st</sup> paragraph, wherein Appellant acknowledges the term "root-tip-trapping", to which Appellant explained that Reiger teaches the root-tip-trapping material. From this paragraph, it appears that Appellant acknowledges Reiger teaches a root-tip-trapping material. In any event, Reiger clearly does teach root-tip-trapping material in his patent.

  
SON T. NGUYEN  
PRIMARY EXAMINER  
AU 3643